

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/656.815

Applicants : Rodriguez et al.

Filed : September 7, 2000

Art Unit : 3694

Examiner : Colbert, Ella

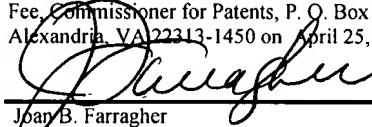
Docket No. : 013647.00004

Customer No. : 33649

Title : SYSTEM AND APPARATUS FOR CREDIT TRANSACTION DATA TRANSMISSION

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8: I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 25, 2007.


Joan B. Farragher

COMMENTS ON EXAMINER'S REASONS FOR ALLOWANCE

Dear Sir:

In regards to the Notice Of Allowance mailed January 25, 2007, it is noted that the Examiner has failed to provide any reasons why the noted difference between the allowed claims and the prior art is considered to define the allowed claims over the prior art, and the reason therefore is not clear in the record. For example, the Examiner indicates in the Reasons for Allowance that the claims are allowable because the prior art fails to disclose or suggest the particular structure and/or operations recited in the various claims. As such, the statement on the Reasons for Allowance fails to address the proper construction of the claims. As claim construction relies on the claims as a whole, the specification and the prosecution history, merely stating that the prior art fails to disclose or suggest the particular structure and/or operations recited in the various claims fails to provide any reasons why the noted difference between the

allowed claims and the prior art is considered to define the allowed claims over the prior art. Merely identifying a feature from the claims that is not present in the prior art fails to construe that feature in any meaningful way.

Dated: April 25, 2007

Respectfully submitted,

JACKSON WALKER L.L.P.

By:

Christopher J. Rourk
Reg. No. 39,348

ATTORNEY FOR APPLICANTS

901 Main Street, Ste 6000
Dallas, Texas 75202
Direct: 214/953-5990
Facsimile: 214/953-6604
Email: crourk@jw.com